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**Received**

June 13, 2008

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Susan Gendron, Commissioner of Education  
Department of Education  
23 State House Station  
Augusta, ME 04333

**Maine Department of Education**

Dear Commissioner Gendron:

This letter is to update you with the required status report of the work of the Reorganization Planning Committee for the schools of the Five Town CSD, Union #69, and MSAD #28.

As many others did, we suspended our meetings for several months until the Legislature finished its deliberations. We began meeting again on May 8<sup>th</sup> and also met on May 15<sup>th</sup> and June 12, and will meet on June 26<sup>th</sup>. Enclosed are the minutes from these last three meetings.

As the attached minutes will show, our progress has been slow although we have reached tentative agreement upon a governance structure and Board structure for the RSU Board (enclosed). Currently we are awaiting information from the MDOE regarding the penalties we would incur if we do not reorganize as it appears that these might be less onerous and less expensive than reorganizing. As we await this information, we continue to work on the following issues: whether to have local Boards and what powers should be allocated to them? what RSU decisions might require more than a simple majority? how to allocate assets and liabilities? what kind of cost sharing is most desirable?

Please let me know if there is anything else that we need to do as part of this "status report."

Sincerely,

Michael S. Weatherwax  
Chair of the RPC

**RSU GOVERNANCE STRUCTURE AND BOARD MAKE-UP (voted upon June 12, 2008)**

MUNICIPALITY	Est. 2006 CENSUS	% POP	TOTAL VOTES (995 to 1005)	# DIR	VOTES PER DIRECTOR	% DEVIATION OF VOTING POWER
Appleton	1335	9.6%	96	2	48	4.8%
Camden	5316	38.4%	384	5	77	7.7%
Hope	1454	10.5%	105	2	53	5.3%
Lincolnville	2197	15.9%	159	2	79	7.9%
Rockport	3542	25.6%	256	3	85	<b>8.5%</b>
TOTALS	13844	100.0%	1000	14		
1000 /			14	=	71.40	AVG.
				=	<u>1000</u>	
					PLUS	5.0%

**Five Town RPC  
Meeting Summary  
May 8, 2008**

The meeting was called to order by Mike W. at 6:39 pm.

Mike and Deb agreed that from now on, work on the plan should be done by the whole committee rather than subcommittees. Things are far enough along that one subcommittee cannot resolve issues until another has reached resolution, etc., so it would probably be more effective for the full group to continue where subcommittees left off. Mike W. suggested that items would be discussed at one meeting then voted on at a subsequent meeting to give RPC members time to think things over and discuss with community members. All concurred.

Mike W. announced that Drummond and Woodsum will hold their next workshop on June 19. RPC members who wish to attend should notify Mike and he will pay from DOE/RPC funds.

Dianne went over the amendments to the law passed by this legislature and handed out a sheet to help people find sections of the amendment they may be interested in.

Mike feels we should act on the governance piece before any more work can be done on the plan. He began by explaining the thinking of the Governance Subcommittee in suggesting a 10 member board. They felt two from each town would keep the board balanced but manageable in size. The votes would need to be weighted. Mike K. had crunched some numbers and with the increase in the vote weight "variance" from 2% to 5% included in the amendment, it would be possible to have an eleven member board – 2 each from four towns and three from Camden. There would need to be a 20 member board to have enough people that each vote counted as one.

After some discussion, it was determined that a fundamental question was the optimal size of the board. The need to keep it simple (non weighted votes) needs to be balanced with the board size (fewer people with weighted votes). Will weighted votes make some members feel less "significant" than others? Will the new RSU be able to populate a larger board? Is a smaller board practical, given the demands for participation in subcommittees and local committees? Jan believes a board with non weighted votes will help shift the towns from being separate SAUs to being a cohesive group working toward the good of all students in the district. Jill would rather have a smaller board with weighted voting. All agreed the CSD board worked well with 11 members.

After more discussion the following principles for a Board were agreed to:

- No weighted votes if possible.
- A minimum of two members per municipality.
- Small a number of members as possible.

Mike moved the discussion to the formation of local school committees. The Governance Subcommittee suggests a five member committee, which would include two members from the RSU Board. HAL towns currently have five on their local boards and that seems to be a comfortable number. The duties of the local committees would be recommending budgets for

individual schools, developing unique policies for a building that are not inconsistent with RSU policy, and responsibility for the building if the town retains ownership.

If a local community has raised funds for a position at their local school, that position still needs to be an employee of the RSU, paid according to their policies. The RPC members agreed there are some issues this situation could raise that would need to be handled by the future RSU board, and people should be aware of that.

Although local boards can't hire and fire personnel, administration working with local committees should ensure a satisfactory level of participation in that process. In response to a question it was clarified that if a local committee raises money to purchase equipment or other assets, the municipality owns it. Good records will need to be kept.

Central offices will get together and work out a method for developing a budget that allows each building to be treated separately, then merged into one for the RSU.

Another detail that will need to be worked out is how the other three members of the local committees get elected.

The following principles for the duties of local committees were agreed to:

- Develop policies for each school, consistent with the law.
- Participate in interviewing candidates for Superintendent and make subsequent recommendations to the RSU Board.
- Develop local budgets and recommend them to the RSU Board
- Recommend raising an amount of additional local to the municipality, to be used exclusively on that school, if needed.

A question was raised about how the RSU Board develops common policies in time for operational start up. Dianne reminded the group that Drummond and Woodsum suggested personnel policies for each building remain in place after the operational date of the RSU until they can be merged. Perhaps the same could be true for other policies, and interim work would only need to be done on those policies that clearly conflict and would need to be changed.

Meeting dates:

**Thursday May 15 - Bus Barn in Camden**

**Thursday June 12 - Location TBA**

**Thursday June 26 - Location TBA**

**A decision on Governance will be made at the May 15 meeting.**

**Five Town RPC  
Meeting Summary  
May 15, 2008**

The meeting was held at the Bus Barn and was called to order at 6:30 pm.

1. There was no public comment
2. John Lewis made a motion to approve the summary of the May 8 meeting, second by Katherine Baxter, motion carried.
3. *Numbers for RSU Board.* Mike reviewed some ideas for moving forward. Since it was agreed at the May 8 meeting that the full RPC would make decisions on plan contents moving forward, he suggested each decision be classified a Tentative Agreement, because all the pieces of the plan are interwoven. He reminded the group that they had agreed to make decisions by consensus when possible, and he reviewed that process.

Also at the May 8 meeting, some principles on governance were agreed to, and Mike circulated a table (attached) that reflected those principles. Mike K. reminded the group that “one man one vote” does not refer to each person at the table having one vote, but that each person at the table is representing the same proportion of the population. He suggested these be tested to compare them with the percentage of the population to see if they complied with this constitutional standard. Lynn and others in the group are more interested in having weighted votes. Since it is K-12, enabling control is more important than the actual numbers of people on the board. So should the board be a larger number so there is no need to weight the votes, or a smaller number with weighted votes? Some commented on the current difficulties attracting candidates to school board positions.

Ed felt that the “least bad” option was a 14 member board, with weighted votes. He shared that in his experience the weights of the votes don’t really matter – if it is a well functioning board, there is rarely enough disagreement that vote weights need to be counted. In a 14 member board, (2 each from HAL, 3 from Rockport, 5 from Camden) weights would be distributed per person as follows

Appleton – 48, Camden 77, Hope 53, Lincolnville 79, Rockport 85. If all votes were distributed evenly, the weight would be 71. So no one could have a weight higher than 75. This configuration may not meet the 5% variation rule. Mike K will run some numbers to be sure. A 13 member board may be better.

Bob favors the 11 member board, but some feel that may put too much burden on the single reps from Hope and Appleton. Also it gives too much power to each individual. However, larger boards do require more formality.

Mike W. summarizes the discussion by saying that the 14 member board seems to have the most positive sentiment, but it will need to be researched further. Other questions should be addressed in the plan concerning whether members can carry the weight of

**Five Town RPC  
Meeting Summary  
June 12, 2008**

The meeting was held at the Bus Barn and was called to order at 6:33 pm.

1. *RSU vs. penalties*: The original Agenda was revised to include a report developed by Mike K. that compared the costs of reorganizing with the penalties that will be levied if the Towns vote against reorganization. Mike K. reminded folks this report was in draft form, but it initially shows that costs that would have occurred if reorganization took place in this fiscal year would be about the same as penalties. The costs of reorganization did not take into account anticipated inflation in teachers' salaries as all scales reach parity.

Mike K. also reminded the group that costs and future penalties were very difficult to predict, because there is not clarity around what some of the figures are based on. He is going to seek that clarity from Jim Rier at DOE, and if needed he will invite Jim to a future RPC meeting to explain and discuss. For example – some unanswered questions are – is the minimum subsidy based on k-8 or k12? Is the special ed allocation preserved by LD2323 50% or 100%, or 85%? Some thought the special ed allocation would always be in question as it seems to change from year to year.

Mike explained the cost of reorganization he factored in to the comparison is primarily the loss of subsidy. Future increases in expenses, such as salaries, were not considered. Penalties are figured as the loss of 50% of the special education allocation, and 2% added to the minimum mil rate.

Discussion ensued about the wisdom of proceeding with a plan, if it seemed opting out was the least costly alternative. While some felt it was time to stop work on the plan, others reminded the group that the RPC's role is not to make any decision on behalf of the towns, but to present the least offensive plan possible to the voters and allow them to decide. An educational effort will be needed so the voters are well informed about the financial implications of their votes. Many felt "rebellious" against the law and simply not submitting a plan was not worth a possible loss in subsidy. The RPC should keep plugging away, and have Jim Rier come in and explain the comparison in case there is some aspect of this that hasn't been considered.

2. *# of RSU Board members*: The various options of Board size and the resulting weighted votes were discussed, with RPC members commenting on the benefits of each. Options 1 & 3 allow 2 representatives from each HAL town. John Lewis prefers # 1 because it most accurately reflects the relative size of the population. Jill preferred #3 because there would be fewer seats to fill, which is already difficult. Marcia likes 2 – a decision should not be made based on whether Board seats can be filled. Many people are shying away from service now because of the reorganization situation.

Jill made a motion to accept Option #3, second by Kathy. 8 yes votes, 8 no votes. Motion fails. John F. made a motion to accept Option #1, second by Jill. 10 yes votes, 5 no votes. Motion carries. There is tentative agreement to structure a board along the Option 3 model.

3. *Supermajority topics:* Mike W. had asked RPC members to think about what issues that the RSU Board would consider should require a supermajority to make a decision. Rick suggested the plan include a provision for the RSU board to annually review the list established by the RPC and amend it if needed. Some of the issues may be affected by the cost sharing formula, because cost sharing may affect how much power the smaller towns have.

A suggestion was made that a supermajority could be required to override a spending decision made by a local school committee that raised local only funds, if the RSU board felt making the expenditure would violate their charge to ensure equitable educational opportunities across the RSU, or some other mandate. This initiated a philosophical discussion about what equity means, and how to achieve it without losing something already in place, or creating burdens on taxpayers. Rick reminded everyone that until the RSU evolves to the point where everyone feels they are equal, the RSU board will always be second guessing, questioning, etc. Leveling programs doesn't need to mean losses – it could mean gains.

John F. suggested a policy was needed for how students around the region get access to programs, such as moving from school to school in the region. Mike W. said this was something that should be done by the future RSU Board. Mary Kate suggested that the Plan specifically state that this policy will be developed within 3 years. Again, it was suggested the plan leave “breathing room” for the RSU to evolve naturally.

Mike W. says the next big steps in developing the plan are to hear back from DOE on the penalties, and then starting work on the cost sharing formula. The RPC should be thinking about what is appropriate for local costs and what costs should always be shared by the member towns. The formula can be altered in the future as this division becomes less clear.

4. Mike asked the group to discuss the disposition of assets and liabilities. Marcia reminded him that the Assets & Liabilities subcommittee had already made a recommendation on the disposition of assets, but the role of the RSU in assuming debt was still in question. John L. would like the group to consider the non monetary costs and benefits of joining an RSU.

5. At the next meeting, the group will seek Tentative Agreement on the disposition of assets and liabilities. There will be a report from the Cost Sharing subcommittee, and a report from Mike on any conversation with Jim Rier. Supermajority topics will be discussed at a future date. **The next meeting is scheduled for Thursday, June 26.**